

MEMO ENDORSED



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April 14, 2023

VIA ECF

Hon. Nelson S. Román
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

RE: Bouderau v. McCarthy, Dkt No.: 20-cv-4384 (NSR) (PED)

Dear Judge Román:

This firm represents Defendant Duncan McCarthy in the above-referenced action. Pursuant to Your Honor's Individual Practices Rule 1.E., we write to request an approximately five-week extension for the time to serve Defendant's motion for summary judgment from April 20, 2023 to May 25, 2023 (and some additional time due to various holidays).

This is the third request for an extension and is made because the undersigned has been dealing with an ongoing medical issue which now requires surgery which is scheduled for next week. We have communicated with Plaintiff's counsel who consents to the extension and modified schedule.

Accordingly, we respectfully request that Defendant's motion for summary judgment be served on May 25, 2023, with Defendant's opposition being served on June 22, 2023 and Plaintiff's reply being served on July 13, 2023 with all papers being filed on that date.

Thank you for your attention to this matter.

The Court GRANTS Defendant's consented-to request. Defendant is directed to serve (not file) opening papers on May 25, 2023, Plaintiff is directed to serve (not file) opposition papers on June 22, 2023, and Defendant is directed to serve a reply on July 13, 2023. The parties are directed to file their papers on ECF on the reply date, July 13, 2023. Two hard-copy courtesy copies and one electronic copy are to be provided to the Court as the papers are served. **NO FURTHER EXTENSIONS.** The Clerk of the Court is kindly directed to terminate the motion at ECF No. 45.

SO ORDERED:

HON. NELSON S. ROMÁN
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

Barry Kazan

Dated: April 13, 2023
White Plains, NY